

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

August 31, 1999

FROM: **EMIL A. MARZULLO**, Director  
Special Districts Department

SUBJECT: **EMERGENCY WELL REPLACEMENT – COUNTY SERVICE AREA 70,  
IMPROVEMENT ZONE J (OAK HILLS) AND IMPROVEMENT ZONE L  
(PHELAN/PINON HILLS)**

**RECOMMENDATION:** Acting as the governing body of County Service Area 70, Improvement Zone J (Oak Hills) and Improvement Zone L (Phelan/Pinon Hills):

1. Find that an emergency continues to exist in County Service Area 70, Improvement Zone J (Oak Hills) and L (Phelan/Pinon Hills), requiring immediate action to prevent and mitigate the loss or impairment of life, health, property, and essential public services by the completion of Water Well No. 4 serving Oak Hills and Water Well No. 12 serving Phelan and Pinon Hills. (4/5 vote required)
2. Direct the Purchasing Department to increase the purchase orders issued to Warren Meyer Construction by \$50,000 each in order to complete the required emergency work required for well construction. (4/5 vote required)
3. Approve \$25,000 increase in appropriations for improvements to land for construction of the newly constructed Well No. 4 and upgrade of the existing Well No. 3 Booster Station and direct the Auditor-Controller to make budget adjustments as follows (4/5 vote required):

Increase Improvements to Land	CVV	165	165	410	4010	\$25,000
Increase Operating Transfers In	CVV	165	165		9975	\$25,000
Increase Operating Transfers Out	EFO	165	165	530	5030	\$25,000

**BACKGROUND INFORMATION:** The Special Districts Department operates County Service Area 70-J in Oak Hills and CSA 70-L in Phelan/Pinon Hills. These Districts provide the water service to the residents of this region. On June 9, 1999, the California Department of Health issued annual inspection reports on the above water systems and found that the maximum daily customer demand on these Districts exceeds the total well capacities of all the Districts' wells by approximately 500 gallons per minute. The Department of Health immediately placed restrictions on both Districts, denying any new service connections without State approval and ordering the County to take immediate steps to develop additional water production capacity.

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**Record of Action of the Board of Supervisors**

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EMERGENCY WELL REPLACEMENT – CSA 70, IMPROVEMENT ZONE  
J (OAK HILLS) AND IMPROVEMENT ZONE L (PHELAN/PINON HILLS)  
AUGUST 17, 1999  
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This situation represents an emergency circumstance to the residents of Oak Hills, Phelan and Pinon Hills because the Districts do not have approved back-up sources of water, and the loss of any water source will put the community in a severe water supply deficit during the critical summer months. The completion of these two wells will provide the additional quantity to enable the districts to supply adequate water for the remaining summer season.

Water Wells No. 4, Zone J and No. 12, Zone L have been on the Districts' approved Capital Improvement Plans, and are already designed and ready to build. Land for these well sites was purchased in 1998 and well casings drilled and installed approximately six months ago. In addition to the above recommendation, pumps and motors for these wells have been ordered from Bakersfield Well Inc. under existing District contracts at a cost of \$75,000 for Well No. 4 and \$60,000 for Well No. 12. A contract for grading and site fencing at Well No. 4 will also be awarded to Bledsoe Grading for \$20,000 based on previously advertised bids.

On June 29, 1999, the Board of Supervisors declared an emergency situation in Zones J and L, and directed the Purchasing Department to issue purchase orders to Warren Meyer Construction for \$125,000 on behalf of Zone J and \$70,000 on behalf of Zone L. These amounts were based on the estimates of the Special Districts Department project engineer for the required materials and labor to complete the wells. Subsequent material invoices for the electrical part of the project show a significant underestimation of this portion of the project. Specifically, the power supply and transfer switch panels for these wells was estimated at \$25,000 each; Bids from suppliers for these panels indicate that the cost is \$60,000 each. In addition, the cost of installing these panels, including Edison connection, wiring and testing may cost up to \$15,000 more than expected. This Board action will increase the purchase orders to the contractor not to exceed \$175,000 for Well No. 4, Zone J and not to exceed \$120,000 for Well # 12, Zone L.

Section 20134 of the Public Contract Code authorizes the Board of Supervisors to award emergency contracts without going to formal bid. Section 22050 requires that this be accomplished by a four-(4) vote majority of the Board. County Policy Number 11-10 requires Board approval of construction contracts exceeding \$25,000 in value. County Policy Number 11-18 sets down procedures for emergency contracting.

The increase in appropriations to the construction of Well #4 in Zone J is required because the expenditure to Warren Meyer Construction for the transfer switch panel will exceed the budgeted amount by \$25,000.

**REVIEW BY OTHERS:** This action has been reviewed by County Counsel (Jean-René Basle) on August 9, 1999, and coordinated with the appropriate Supervisorial District.

**FINANCIAL IMPACT:** The Well #4, Zone J project costs for FY 99/2000 (CVV 165) were included in the Districts' FY 99/2000 capital budget at \$285,000. This action will increase the project capital budget by \$25,000 to \$310,000. The increased cost will be funded by the District's capital improvement funds (EFO 165). The Well #12, Zone L project costs for FY 99/2000 (EIU 170) were included in the District's FY 99/2000 capital budget at \$280,000. No increase in the project capital budget for Well #12 is required. Total project costs to complete the wells is \$310,000 for Well No. 4, Zone J and \$280,000 for Well No. 12, Zone L for FY 99/2000.

**SUPERVISORIAL DISTRICT(S):** First

**PRESENTER:** EMIL A. MARZULLO